

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Zachary Herman	Team: Squad #12	CCRB Case #: 201808418	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 10/05/2018 5:49 PM	Location of Incident: [REDACTED]	Precinct: 106	18 Mo. SOL 4/5/2020	EO SOL 11/20/2020	
Date/Time CV Reported Thu, 10/11/2018 11:23 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 10/11/2018 11:23 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Ali Chowdhury	13994	955819	106 PCT
2. POM Berk Sonmez	23652	958075	106 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Peter Segerdahl	00553	934719	106 PCT
2. POM James Perrino	19575	962685	106 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Berk Sonmez	Force: In front of § 87(2)(b) in Queens, Police Officer Berk Sonmez used physical force against § 87(2)(b)	[REDACTED]
B.POM Berk Sonmez	Force: Police Officer Berk Sonmez used physical force against § 87(2)(b)	[REDACTED]
C.POM Ali Chowdhury	Force: Police Officer Ali Chowdhury used physical force against § 87(2)(b)	[REDACTED]
D.POM Berk Sonmez	Abuse: Police Officer Berk Sonmez threatened to arrest § 87(2)(b)	[REDACTED]
E.POM Berk Sonmez	Abuse: Police Officer Berk Sonmez threatened to remove § 87(2)(b) to the hospital.	[REDACTED]
F.POM Berk Sonmez	Abuse: Police Officer Berk Sonmez refused to provide his shield number to § 87(2)(b)	[REDACTED]

Case Summary

On October 11, 2018, § 87(2)(b) called the CCRB and filed this complaint.

On October 5, 2018, PO Berk Sonmez and PO Ali Chowdhury from the 106th Precinct responded to the § 87(2)(b) in Queens for a call regarding a missing person/emotionally disturbed person. When the officers arrived at the house, § 87(2)(b) and § 87(2)(b) old male, invited them inside and they spoke with him regarding a dispute between himself and § 87(2)(b) a § 87(2)(b) old female, who left the house in a vehicle after their dispute and was reported as a missing person.

§ 87(2)(b) arrived at the house in a vehicle some time later. PO Sonmez went outside to speak with her while PO Chowdhury remained inside with § 87(2)(b). As § 87(2)(b) was opening the door to her vehicle, PO Sonmez allegedly pulled her out of the vehicle (**Allegation A: Force**, § 87(2)(g)). He then allegedly began to strike § 87(2)(b) on her back as she walked towards the open garage door, instructing her to “go faster.” PO Sonmez followed § 87(2)(b) up the stairs, allegedly continuing to strike and push her on her back (**Allegation B: Force**, § 87(2)(g)). As PO Sonmez and § 87(2)(b) reached the top of the stairs entering into the house’s living room, PO Chowdhury allegedly lifted § 87(2)(b) up and moved him several feet from the living room to the dining room (**Allegation C: Force**, § 87(2)(g)).

§ 87(2)(b) sat in the living room while § 87(2)(b) was in the kitchen. § 87(2)(b) requested to go the kitchen, PO Sonmez told her she had to remain in the living room. § 87(2)(b) paced around the living room. PO Sonmez told her to sit down multiple times, § 87(2)(b) refused to sit down. PO Sonmez allegedly jangled his handcuffs at § 87(2)(b) and according to § 87(2)(b) told her “I am going to arrest you” (**Allegation D: Abuse of Authority**, § 87(2)(g)). After giving her multiple instructions to sit down, PO Sonmez allegedly told § 87(2)(b) that he was going to pick her up, put her in his car, and take her to the hospital (**Allegation E: Abuse of Authority**, § 87(2)(g)).

As § 87(2)(b) and PO Sonmez argued in the living room, § 87(2)(b) allegedly requested his shield number multiple times. PO Sonmez did not respond to these requests (**Allegation F: Abuse of Authority**, § 87(2)(g)).

After the above allegations, PO James Perrino, Sergeant Peter Segerdahl, FDNY Paramedics § 87(2)(b) and § 87(2)(b) and FDNY Lieutenant § 87(2)(b) arrived at the house. At some point after his arrival, FDNY Lieutenant § 87(2)(b) examined § 87(2)(b) asked her if she wanted additional medical treatment and she refused. At that point, all medical and police personnel that had responded to the scene left. § 87(2)(b) was not transported to the hospital, no arrests were made, and no summonses were issued.

No video evidence was recovered during this investigation.

Findings and Recommendations

Allegation (A) Force: In front of § 87(2)(b) in Queens, Police Officer Berk Sonmez used physical force against § 87(2)(b)

Allegation (B) Force: Police Officer Berk Sonmez used physical force against § 87(2)(b)

§ 87(2)(b) testified that PO Sonmez pulled her out of her vehicle by her arm. PO Sonmez then began to strike § 87(2)(b) on her back and told her to go faster as they entered her house. § 87(2)(b) told PO Berk she did not want police officers in her house. As § 87(2)(b) went up the stairs, PO Berk continued to push and strike her back (BR01).

§ 87(2)(b) testified he observed PO Sonmez pushing § 87(2)(b) on her back as they reached the top of the stairs. He asked generally why this was happening, neither officer responded (BR02).

Paramedics § 87(2)(b) and FDNY Lieutenant § 87(2)(b) testified that they did not observe police officers using physical force while on scene (BR03, BR04, BR05).

PO Sonmez testified that he exited the house when § 87(2)(b) arrived to speak with her outside. He did not recall if PO Chowdhury was with him. He spoke with § 87(2)(b) when she exited her vehicle, parked in the driveway, and informed her they had to go inside the house. He did not pull § 87(2)(b) out of her vehicle, and did not strike her when she was going up the stairs (BR08).

PO Chowdhury did not exit the house to interact with § 87(2)(b) outside, and did not recall if PO Sonmez did. He did not recall observing PO Sonmez come up the stairs with § 87(2)(b) and did not observe PO Sonmez striking § 87(2)(b) at any point (BR07).

Sgt. Segerdahl and PO Perrino had not responded to the scene at the time these allegations allegedly took place (BR06, BR09).

§ 87(2)(g)

Allegation (C) Force: Police Officer Ali Chowdhury used physical force against § 87(2)(b)

§ 87(2)(b) testified that as he observed § 87(2)(b) coming up the stairs, he asked why PO Sonmez was pushing § 87(2)(b). PO Chowdhury then lifted him up by his shoulders and moved him from the vicinity of the landing into the kitchen. § 87(2)(b) was in the air for several seconds (BR02).

§ 87(2)(b) testified that she observed PO Chowdhury lift § 87(2)(b) up and move him from the landing area to the kitchen as she entered the living room (BR01).

Paramedics § 87(2)(b) and FDNY Lieutenant § 87(2)(b) testified they not recall observing any officer lift § 87(2)(b) in their presence (BR03, BR04, BR05).

PO Chowdhury testified he did not have any physical contact with § 87(2)(b) throughout the incident (BR07).

PO Sonmez, PO Perrino, and Sgt. Segerdahl testified they did not observe PO Chowdhury lift § 87(2)(b) up in their presence (BR06, BR08, BR09).

§ 87(2)(g)

Allegation (D) Abuse of Authority: Police Officer Berk Sonmez threatened to arrest

§ 87(2)(b)

§ 87(2)(b) testified that PO Sonmez jangled his handcuffs at § 87(2)(b) while she walked around the living room while stating, “I am going to arrest you.” He heard this exchange while he was standing in the kitchen (BR01).

§ 87(2)(b) testified that PO Sonmez jangled his handcuffs at her, but when she asked if he was going to arrest her, he told her he was not (BR02).

Paramedics § 87(2)(b) and FDNY Lieutenant § 87(2)(b) testified that they did not recall any officer threaten to arrest anyone in their presence (BR03, BR04, BR05).

PO Sonmez testified that he did not threaten to arrest § 87(2)(b) and did not jangle his handcuffs at her (BR08).

PO Chowdhury, PO Perrino, and Sgt. Segerdahl testified that they did not observe PO Sonmez threaten to arrest § 87(2)(b) in any way (BR06, BR07, BR09).

§ 87(2)(b) and § 87(2)(b) both testified that PO Sonmez jangled his handcuffs at § 87(2)(b)

§ 87(2)(g)

Allegation (E) Abuse of Authority: Police Officer Berk Sonmez threatened to remove

§ 87(2)(b) **to the hospital.**

§ 87(2)(b) testified that as she spoke with PO Sonmez in the living room, he told her he was going to pick her up, put her in his car, and drive her to the hospital (BR02).

§ 87(2)(b) corroborated § 87(2)(b)'s allegation (BR01).

Paramedic § 87(2)(b) did not recall observing police officers speaking to § 87(2)(b). He recalled that he spoke to § 87(2)(b) and that she was acting highly agitated. He recalled interacting with § 87(2)(b) but not specifically if she wanted to go the hospital (BR05).

Lieutenant § 87(2)(b) did not recall observing police officers speaking to § 87(2)(b). He was informed by Paramedics § 87(2)(b) and § 87(2)(b) that § 87(2)(b) was refusing medical treatment. He spoke with § 87(2)(b) and asked her if she wanted to go the hospital. She refused (BR03).

Paramedic § 87(2)(b) did not recall the incident with enough detail to provide testimony regarding this allegation (BR04).

PO Sonmez denied telling § 87(2)(b) that he was going to transport her to the hospital (BR08).

PO Chowdhury, PO Perrino, and Sgt. Segerdahl did not recall hearing PO Sonmez or any officer tell § 87(2)(b) she was going to be transported to the hospital (BR06, BR07, BR09).

§ 87(2)(g)

Allegation (F) Abuse of Authority: Police Officer Berk Sonmez refused to provide his shield number to § 87(2)(b)

§ 87(2)(b) testified that while she was speaking with PO Sonmez in the living room, she requested he provide his shield number to her multiple times, and that he did not respond to this request (BR01).

§ 87(2)(b) did not testify to this allegation (BR02).

Paramedic § 87(2)(b), Paramedic § 87(2)(b), and Lieutenant § 87(2)(b) did not recall any specific individual requesting any specific officer's shield number (BR03, BR04, BR05).

PO Sonmez testified that § 87(2)(b) did not ask him for his shield number (BR08).

PO Chowdhury, PO Perrino, and Sgt. Segerdahl testified they did not recall anyone asking for any officer's shield numbers (BR07).

§ 87(2)(g)

Allegation Not Pled

§ 87(2)(b) also testified that he requested multiple officers' shield numbers on scene. § 87(2)(b) testified that fifteen to twenty police officers responded to the house. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Civilian and Officer CCRB Histories

- This is first complaint filed by § 87(2)(b) at the CCRB (BR12).
 - § 87(2)(b)
 - PO Chowdhury has been a member of service for five years, this is the first CCRB complaint filed against him.
 - PO Sonmez has been a member of service for four years, this is the second CCRB complaint filed against him. § 87(4-b), § 87(2)(g)
- § 87(2)(b)
- § 87(2)(b)

Mediation, Civil and Criminal Histories

- § 87(2)(b) and § 87(2)(b) were offered and rejected mediation in this case.
- A FOIL request for any notices of claim regarding this case was filed with the New York City Office of the Comptroller on April 1, 2019. The New York City Office of the Comptroller did not locate any FOIL requests filed regarding this case (BR14).
- According to the New York State Office of Court Administration database, § 87(2)(b) has not been convicted of a crime in New York City (BR10).
- According to the New York State Office of Court Administration database, § 87(2)(b) has not been convicted of a crime in New York City (BR11).

Squad No.: 11

Investigator: _____

Signature	Print Title & Name	Date
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Squad Leader: _____

Signature	Print Title & Name	Date
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Reviewer:

Signature

Print Title & Name

Date